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9 IN THE UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, )  
12 ) No. CR 08-0172 DLJ  
13 Plaintiff, )  
14 ) STIPULATION AND [PROPOSED]  
15 ) ORDER CONTINUING CHANGE OF  
16 ) PLEA AND EXCLUSION OF TIME  
17 )  
17 MARCOS RAMIREZ-GARCIA, )  
18 )  
18 Defendant. )

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19 IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of  
20 plea in this case, currently scheduled for Friday, August 1, 2008, before Honorable D. Lowell Jensen,  
21 may be continued to Friday, August 8, 2008, at 9:00 a.m. for change of plea. The reason for the  
22 request is that defense counsel needs additional time to review the documents with Mr. Marcos-  
23 Ramirez prior to the change of plea. Counsel has a meeting scheduled at the jail for Monday, August  
24 4, 2008 which should provide enough time to review all of the information with Mr. Ramirez-Garcia  
25 prior to the change of plea. The parties stipulate that the time from August 1, 2008, to August 8,  
26

1 2008, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§  
2 3161(h)(8)(A) and (B)(iv) for adequate preparation of counsel.

3 DATED: July 31, 2008

/S/  
JOYCE LEAVITT  
Assistant Federal Public Defender

6 DATED: July 31, 2008

/S/  
JAMES MANN  
Assistant United States Attorney

8 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
9 conformed signature “/s/” within this e-filed document.

11 **ORDER**

13 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date in this case,  
14 currently scheduled for Friday, August 1, 2008, before Honorable D. Lowell Jensen, may be  
15 continued to Friday, August 8, 2008, at 9:00 a.m. for change of plea

16 IT IS FURTHER ORDERED that the time from August 1, 2008 to August 8, 2008, should be  
17 excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and  
18 (B)(iv) for adequate preparation of counsel. The Court finds that the ends of justice served by the  
19 granting of the continuance outweigh the best interests of the public and the defendant in a speedy  
20 and public trial and the failure to grant the requested continuance would unreasonably deny counsel  
21 the reasonable time necessary for effective preparation, taking into account due diligence.

23 SO ORDERED.

25 DATED:

26 HONORABLE D. LOWELL JENSEN  
United States District Judge